

ENTERED

January 30, 2023

Nathan Ochsner, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

TIMOTHY M. WILLIAMS and
CAMERON M. WILLIAMS,

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Plaintiffs,

V.

CIVIL ACTION NO. H-22-3823

BERTHA LEE THOMAS, GLORIA
SANCHEZ GLOUCE, and VERONICA
TORREZ-HURST,

Defendants.

ORDER

Timothy and Cameron Williams filed a lawsuit alleging that the defendants conspired to steal money in the course of a domestic relations case in Harris County. (Docket Entry No. 1 at 5).¹ Bertha Lee Thomas is Timothy Williams's former spouse; Gloria Sanchez Glouce is an attorney in the Houston office of the Texas Attorney General; and Veronica Torrez-Hurst is a state-court judge. After Judge Torrez-Hurst moved to dismiss based on judicial immunity, (Docket Entry No. 3), the plaintiffs voluntarily dismissed her from this suit. (Docket Entry No. 8).

The court dismisses the remaining defendants on its own initiative because it is clear from the complaint that the statute of limitations has run. 28 U.S.C. § 1915(e)(2)(B)(2) (a court “shall dismiss at any time” an *in forma pauperis* action that fails to state a claim). “[W]here state law provides multiple statutes of limitations for personal injury actions, courts considering § 1983 claims should borrow the general or residual statute for personal injury actions.” *Beckwith v. City of Houston*, 790 F. App’x 568, 573 (5th Cir. 2019) (quoting *Owens v. Okure*, 488 U.S. 235, 249–

¹ References to the plaintiffs' complaint are to the CM/ECF pagination in the document header.

50 (1989)). The limitations period for this § 1983 claim is two years from the date the cause of action arose. TEX. CIV. PRAC. & REM. CODE § 16.003(a). The claims the plaintiffs assert arose at the September 17, 2017 hearing, when the state court made the ruling that allegedly violated the plaintiffs' rights and caused them injury. (Docket Entry No. 1 at 11 ¶ 15).

The court dismisses the complaint, with prejudice, because amendment would be futile. Final judgment will be separately entered. All pending motions are denied as moot.

SIGNED on January 30, 2023, at Houston, Texas.



Lee H. Rosenthal
United States District Judge